



600 Third Avenue, 42nd Floor, New York, NY 10016 • (212) 684-0199

July 5, 2024

Lawrence Hirsh  
(212) 803-9962  
lhirsh@polsinelli.com

**E-Filed**

Hon. Jennifer H. Rearden  
United States District Court for the Southern District of New York  
500 Pearl St., Room 1010  
New York, NY 10007

**Re: Joseph Mosseri, individually and on behalf of all others similarly  
situated v. Miracle Moo, Inc., Case No.: 1:24-cv-3414 (JHR)**

Dear Judge Rearden:

We represent the defendant Miracle Moo, Inc. in the referenced action. I am pleased to inform the Court that the parties have reached an agreement in principle fully resolving this action. I am writing pursuant to Your Honor's Individual Rules and Practices, R.2E., to request a further extension of the Defendant's time to respond to the Complaint from its current due date of July 9, 2024 to July 30, 2024 to enable the parties to draft an appropriate settlement agreement, which will include both monetary and nonmonetary terms. Plaintiff's counsel has consented to the extension.

Pursuant to Rule 2E, we state the following in support of the request for an adjournment.

1. The summons was served on defendant's agent for service in Delaware on May 6, 2024, making defendant's original date to respond May 27, 2024 pursuant to FRCP R. 12. Thereafter, plaintiff's counsel and defendant's counsel began discussing a potential settlement of the matter. On May 21, 2024 we filed a letter Motion seeking a consensual extension of the time to respond to the complaint to June 24, 2024, which the Court granted on June 3, 2024 [Dkt. 10]. On June 21, 2024 the Court granted a further extension to July 9, 2024. [Dkt. 12].
2. Plaintiff's counsel and defendant's counsel were able to reach a final agreement to the terms of a settlement late in the day on July 3, 2024. We require a reasonable period of time in order to draft an agreement specifying the terms of a settlement and release.

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Hon. Jennifer H. Rearden  
July 5, 2024  
Page 2

3. No scheduling order or other activity has occurred in the case and no court conferences have been scheduled.

Accordingly, we respectfully request that the Court approve the extension of the Defendant's time to respond to the Complaint to July 30, 2024, although we are hopeful we will be able to file notice of the discontinuance of the action prior to that date.

Respectfully,

*Lawrence S. Hirsh*

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